



2-28-04

Rec/3626

DOCKET NO.: MSPT-1701/303314.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Wiser et al.

Confirmation No.: 8705

Application No.: 09/289,513

Group Art Unit: 3626

Filing Date: April 9, 1999

Examiner: C. Gilligan

For: SECURE ONLINE MUSIC DISTRIBUTION SYSTEM

EXPRESS MAIL LABEL NO: EL999295957US  
DATE OF DEPOSIT: December 27, 2004

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☒ Mail Stop AF ☐ Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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GROUP 3600

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL PURSUANT  
TO 37 CFR § 1.114

(Note - RCE practice is not available to United States applications with a filing date prior to June 8, 1995 or United States National Phase Applications where entry into the national phase is from an International Application filed prior to June 8, 1995. However, if a Continued Prosecution Application was filed after June 8, 1995 in one of the above-identified applications, RCE practice would then be permitted on that application)

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114

☐ Previously submitted

☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on . (Any unentered amendment(s) referred to above will be entered).

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .

☐ Other: .

- ☒ Enclosed
- ☒ Amendment/Reply under 37 CFR § 1.116
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other:

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed three (3) months; Fee under 37 CFR §1.17(i) required)

**FEE CALCULATION:**

				SMALL ENTITY		NOT SMALL ENTITY	
<input checked="" type="checkbox"/> RCE BASIC FILING FEE				\$395.00	\$	\$790.00	\$790.00
	CLAIMS REMAINING AFTER RCE	HIGHEST NO. PAID FOR	EXTRA				
TOTAL CLAIMS	20	50 (20 MINIMUM)	-0-	\$25 EACH	\$	\$50 EACH	\$-0-
INDEP. CLAIMS	3	3 (3 MINIMUM)	-0-	\$100 EACH	\$	\$200 EACH	\$-0-
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$180	\$	\$360	\$-0-
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$60	\$	\$120	\$-0-
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$225	\$	\$450	\$-0-
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$510	\$	\$1020	\$-0-
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$795	\$	\$1590	\$-0-
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME (May only be taken when filing RCE in lieu of Appeal Brief)				\$1080	\$	\$2160	\$-0-
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$-0-)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$65	\$	\$130	\$-0-
TOTAL FEE DUE					\$		\$790.00

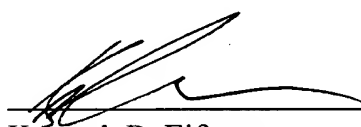
- ☒ A check in the amount of **\$790.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of \$ \_\_\_\_\_.00. This sheet is attached in duplicate.
- ☐ A response to the \_\_\_\_\_ dated \_\_\_\_\_ was due on \_\_\_\_\_. Petition is hereby made under 37 CFR § 1.136(a) to extend the time period for response from \_\_\_\_\_

to and through comprising an extension of the shortened  
statutory period of month(s).

- ☐ A Notice of Appeal was filed . An Appeal Brief is due on .  
Applicants are filing this Request for Continued Examination in lieu of this  
Appeal Brief. Petition is hereby made to extend the time period from to  
and through comprising a total extension of month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the  
appropriate length of time, should one be necessary, in connection with this  
filing or any future filing submitted to the U.S. Patent and Trademark Office  
in the above-identified application during the pendency of this application.  
The Commissioner is further authorized to charge any fees related to any such  
extension of time to Deposit Account No. 23-3050. This sheet is provided in  
duplicate.
- ☒ The Commission is hereby authorized to charge payment of the above fees  
associated with this communication or credit any overpayment to Deposit  
Account No. 23-3050. This sheet is attached in duplicate.

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including  
deficiencies in payment of fees, missing parts of the application or otherwise, the United  
States Patent and Trademark Office is respectfully requested to promptly notify the  
undersigned.

Date: December 27, 2004

  
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